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UNITED STATES DISTRICT COURT
DISTRICT OF NEVADA

UNITED STATES OF AMERICA,)	
)	CASE NO. 2:21-CR-00136-JCM-NJK
Plaintiff,)	
)	
vs.)	
)	
RUSSELL CATES,)	
)	
Defendant.)	

**STIPULATION TO CONTINUE STATUS CONFERENCE
(First Request)**

IT IS HEREBY STIPULATED AND AGREED, between the United States of America, by and through its attorney, Christopher Chiou, Acting United States Attorney, through JIM W. FANG, Assistant United States Attorney; and Defendant Russell Cates, by and through his counsel, Sunethra Muralidhara, Esquire, Wright Marsh & Levy, that the status conference currently scheduled for October 27, 2021, at 11:00 a.m. be vacated and set to a date and time convenient to this Court, but no sooner than 2-weeks from the current status conference.

This stipulation is entered into for the following reasons:

1. On October 22, 2021, Mr. Cates had his sentencing scheduled. However, rather than proceeding with sentencing, the Court allowed for prior defense CJA counsel to withdraw as counsel given a conflict. To allow time for the CJA Panel to find a new CJA attorney able to represent Mr. Cates, the Court set a status conference for Wednesday, October 27, 2021, at 11:00 a.m. ECF 45.

2. On October 25, 2021, the undersigned accepted representation of Mr. Cates. The Court entered an order appointing the undersigned as CJA counsel. ECF 47.

3. Counsel has scheduled a video visit with Mr. Cates set for Wednesday, November 3, 2021. Counsel believes it is prudent to speak with her client prior to the status conference. Counsel has also requested through the Nevada Southern Detention Center that Mr. Cates telephone her to discuss the new appointment of counsel and other case related issues in advance of the status conference.

4. Counsel has met and conferred with AUSA Jim Fang who agrees to the 2-week continuance on the status conference.

5. Mr. Cates is currently in pretrial detention at the Nevada Southern Detention Center. Given the recent appointment and the impending status conference currently set for October 27, 2021, the undersigned has not been able to discuss the requested continuance with Mr. Cates.

6. The undersigned does not believe that such a short continuance would prejudice Mr. Cates in anyway.

7. This continuance is not sought for purposes of delay, but rather to allow sufficient time to communicate with Mr. Cates about the recent appointment and other case related issues.

8. The parties agree to the continuance.

9. Additionally, denial of this request for continuance could result in a miscarriage of justice.

10. The additional time requested by this Stipulation is made in good faith and not for purposes of delay.

11. This is the first request for a continuance of the status conference.

Dated this 25th day of October, 2021.

WRIGHT MARSH & LEVY

CHRISTOPHER CHIOU
ACTING UNITED STATES ATTORNEY

BY /s/ Sunethra Muralidhara
SUNETHRA MURALIDHARA, ESQUIRE
Attorney for Defendant Cates

BY /s/ JIM W. FANG
JIM W. FANG
Assistant U.S. Attorney

UNITED STATES DISTRICT COURT
DISTRICT OF NEVADA

UNITED STATES OF AMERICA,

Plaintiff,

vs.

RUSSELL CATES,

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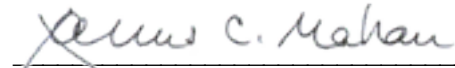
CASE NO. 2:21-CR-00136-JCM-NJK

ORDER

Based on the Stipulation of the parties and for good cause, the status conference in this matter is hereby continued. The ends of justice served by granting said continuance outweigh the best interest of the public and the defendant in a speedy status conference, since the failure to grant said continuance would be likely to result in a miscarriage of justice, and would deny the parties herein sufficient time and the opportunity within which to be able to effectively and thoroughly prepare for the status conference, taking into account the exercise of due diligence.

IS IT HEREBY ORDERED that the status conference in the above-captioned matter currently scheduled for October 27, 2021, at 11:00 a.m., be vacated and continued to November 19, 2021 at 11:30 a.m. by video conference.

DATED: October 25, 2021



JAMES C. MAHAN
United States District Judge